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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,819	03/06/2002	Katsuhiro Ishii	Q68804	5697
23373	7590	10/17/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			NGUYEN, THUAN T	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/090,819	<b>Applicant(s)</b> ISHII, KATSUHIRO	
	<b>Examiner</b> THUAN T. NGUYEN	<b>Art Unit</b> 2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

3. Claims 1-3, 7, and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishida (U.S. Patent 5,926,466, already cited in PTO-892 of the previous office action).

Regarding claim 1, this limitation is met by Ishida as Ishida discloses a transmitting circuit using plural transmission frequency band and a communication terminal unit comprising the transmitting circuit with an antenna and its other components (Fig. 2) comprising an input stage amplifier for amplifying an input signal and an operating condition setting circuit for controlling an optimally amplified frequency band by setting an operating condition of the input stage amplifier as well as a high pass filter and a low pass filter connected to an output of the input stage amplifier for amplifying a signal of frequency band passed by the high-pass filter and the low pass filter correspondingly, a high frequency band last stage amplifier for amplifying the signal of frequency band passed by the high pass filter together with a low frequency band last stage amplifier for amplifying the signal of frequency band passed by the low

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pass filter, i.e., refer to Fig. 2 for upper branch (take a look from right to left for the TX or transmitting circuit), same as Fig. 3 of the present application, as input signal at 33 under a voltage setting control circuit VCO 12, then the input signal is amplified at common amplifier 20, then the amplified signal is going through a low pass filter 23b and a high pass filter 23a for appropriate frequency bands, the top circuit is for low frequency band 900MHz and the lower circuit is for the high frequency band 1800MHz as noted before providing the signals to antenna 1 for transmission (see col. 15/lines 25-55).

As for claim 2, this limitation is met as Ishida shows to include transistors and setting a bias voltage of the transistors with the use of a VCO (Fig. 2/item 12 and a closer look at Fig. 27 and col. 24/lines 1-35 for VCO setting a bias voltage).

As for claim 3, this limitation is met as Ishida discloses to have dual band for GSM 900 and DCS 1800 frequency bands (Fig. 2, with 900MHz and 1800MHz bands addressed).

As for claim 7, Ishida further shows components of the mobile phone comprising an antenna, a transmitting, and a modulating/demodulating circuit, a switch for switching to receive and/or transmit signal, a baseband signal processing circuit for processing the demodulated signal (Fig. 2, with antenna 1, switch 2 for TX and RX, demodulator 16a & 16b, modulator 19, and the baseband signal processing circuit at 20 & 21 after the demodulated signal provided to modulator 19) in addition to apparatus and method of high frequency power amplifier as discussed in claim 1 above.

As for claims 8-12, these claims are rejected for the reasons given in the scope of claims 1-3 and 7 as discussed in details above.

***Claim Rejections - 35 USC 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

5. Claims 4-7 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida as in claim 1 above in view of Dent et al (US Pub No. 2002/0101907 A1).

Regarding claims 4 and 13, Ishida does not address that the communication device including “class C amplifier”; however, in a same field of providing multi-band communication, Dent teaches a same technique of using class C amplifier (Dent, Figs. 1, 4-5, and page 3/section 0033; and page 6/section 0057 for class C amplifier). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ishida’s technique with Dent’s technique of using class C amplifier in order to adapt to mismatch power level within the communication device, and Dent offers the adjustable matching network as disclosed for preserve the power amplifier linearity (Dent, page 6, section 0057).

As for claims 5-6 and 14-15, in further view of claim 4 above, Dent further teaches “wherein all the amplifiers and filters are formed on same semiconductor die and wherein each of the amplifiers is produced by GaAs process (page 5, par. 0048, 0051).

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***Conclusion***

**6. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231


**or faxed to the New Central Fax number:**

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,  
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TONY T. NGUYEN  
PATENT EXAMINER

Tony T. Nguyen  
Art Unit 2685  
September 26, 2005